

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No 2:23-cv-04401-JLS-AFM

Date: October 17, 2023

Title: Guri Gonzalez v. Maria V. Montgomery et al

Present: **HONORABLE JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Gabby Garcia
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING ACTION FOR
FAILURE TO PROSECUTE**

On September 25, 2023, the Court ordered Plaintiff to show cause why the Court should not dismiss this action for failure to prosecute. (Doc. 11). On September 29, the Court received a response from Plaintiff. (Doc. 13). Plaintiff's counsel explained that service of the summons and complaint was delegated to Turner Attorney Service in June 2023, but that Turner has not yet been able to locate Defendant at his Los Angeles home to effectuate service. (Response at 1–2.) Plaintiff's counsel does not describe the number of times Turner has attempted service, does not provide any explanation for why the process server has not been able to locate Defendant at the provided address, does not allege that Defendant is evading service, and does not give any other details that would permit the Court to ascertain whether there is good cause for this delay in service. This Response is not sufficient to discharge the Order to Show Cause.

As a result, the Court DISMISSES this action WITH PREJUDICE for Plaintiff's failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Initials of Preparer: gga